

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES,

v.

MARIO STEWART,

Defendant.

No. 23-CR-361 (KMK)

SCHEDULING ORDER

KENNETH M. KARAS, District Judge:

At the conference on September 25, 2024, the Court adopted the following schedule:

The jury selection and trial in this Action will begin on Monday, February 24, 2025, at 9:30 A.M. in Courtroom 521 at 300 Quarropas Street, White Plains, New York 10601.

The Government shall produce to Defendant any evidence it will seek to introduce at trial pursuant to Federal Rule of Evidence 404(b) and an accompanying Memorandum of Law, if necessary, by January 20, 2025 (five weeks prior to trial). Defendant shall file a response to the Government's 404(b) motion, if necessary, by January 27, 2025 (four weeks prior to trial). The Government shall file its reply, if necessary, by February 3, 2025 (three weeks prior to trial).

The Government shall produce to Defendant pre-marked exhibits it intends to introduce as part of its case-in-chief at trial by January 20, 2025 (five weeks prior to trial). The Government shall ensure that Defendant is given an opportunity to view any sensitive evidence it will seek to introduce at trial which the Government cannot send to Defendant.

The Government shall produce to Defendant any material pursuant to 18 U.S.C. § 3500 and *Giglio* by February 10, 2025 (two weeks prior to trial).

Defendants' motions *in limine* are due by February 3, 2025 (three weeks prior to trial). The Government's response is due by February 10, 2025 (two weeks prior to trial). Failure to object will waive any subsequent objections.

The Parties' proposed jury instructions, voir dire, and proposed verdict form are due by February 3, 2025 (three weeks prior to trial).

Defendant is also reminded of his obligations under Fed. R. Crim. P. 16, which imposes a duty upon the Defendant to “disclose to the government, in writing, the information required by (iii) for any testimony that the defendant intends to use under Federal Rule of Evidence 702, 703, or 705 during the defendant’s case-in-chief at trial.” Defendant must make such disclosures by no later than February 3, 2025 (three weeks prior to trial).

The Court will hold a final pre-trial Conference on February 20, 2025, at 10:00 AM.

Time is excluded from the Speedy Trial Act until February 24, 2025, in the interests of justice as explained at the conference. *See* 18 U.S.C. § 3161(h)(7)(A).

SO ORDERED.

DATED: September 25, 2024
White Plains, New York

A handwritten signature in black ink, appearing to read 'K. Karas', is written over a horizontal line.

KENNETH M. KARAS
UNITED STATES DISTRICT JUDGE